

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Bloomberg BNA
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Subject: Oct. 13 -- EHS State Regulatory Alert



EHS State Regulatory Alert

October 13, 2017 - Number 197

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California Regions

AIR

GHG Emission Standards for Crude Oil and Natural Gas Facilities **California Regions AIR**

Proposed rule of the San Joaquin Valley Air Pollution Control District adopts regulations under Rules 2260 and 3156 to establish registration requirements and fees for equipment subject to state greenhouse gas emission (GHG) standards for crude oil and natural gas facilities. The rule requires owners and operators to register existing, newly installed, and replacement equipment specified in the state rule, including certain separator and tank systems, circulation tanks for well stimulation treatments, reciprocating and centrifugal natural gas compressors, natural gas powered pneumatic devices and pumps, natural gas wells, well casing vents, and natural gas underground storage facilities. The rule establishes application requirements, registration content, and registration fees. A workshop is scheduled for Oct. 20, 2017, in Bakersfield, via video teleconference in Fresno and Modesto, and via webcast. Comments are due Oct. 30, 2017. Contact: Leonard Scandura; San Joaquin Valley APCD; 661-392-5500; leonard.scandura@valleyair.org

—California RegionsRegulations (10/12/2017)

Regulatory Update

AIR

Petroleum Refinery Emission Limits **California Regions AIR**

Notice of the Bay Area Air Quality Management District announces that the district has suspended further action on a proposed rule to adopt regulations under Rule 12-16 regarding petroleum refining facilitywide emission limits. An initial proposal would have limited emissions of greenhouse gases (GHGs), particulate matter (PM-2.5 and PM-10), nitrogen oxides, and sulfur dioxide from petroleum refineries and associated facilities by setting a maximum annual emission rate based on emissions reported during a 2010-2014 baseline period, plus a 7 percent additional allowance. A subsequent revised proposal would have established a cap on GHG

emissions from petroleum refineries and associated facilities, and a rule to reduce emissions of criteria pollutants, including PM emissions, would have been proposed at a later date. The suspension is due to the adoption of Assembly Bill 398, which extends the state cap-and-trade program to 2030 and prohibits air districts from adopting carbon dioxide emissions reduction requirements for stationary sources that are also subject to the state cap-and-trade requirement. Contact: Gregory Nudd; Bay Area AQMD, Rule Development Section; 415-749-4786; gnudd@baaqmd.gov

—California Regions Regulations (10/05/2017)

Regulatory Update

Florida

WATER

Southwest Florida WMD/Guidance and Minimum Levels for Florida WATER

Notice announces the intention of the Southwest Florida Water Management District to amend regulations under FAC 40D-8.624 to remove existing guidance levels and add new minimum and guidance levels for Lake Aurora in Polk County. A comment due date is not specified. Contact: Mark Hurst; SWFWMD; 352-796-7211

—Florida Administrative Weekly (10/11/2017)

Regulatory Update

WATER

Southwest Florida WMD/Guidance and Minimum Levels for Deer Lake Florida WATER

Notice announces the intention of the Southwest Florida Water Management District to amend regulations under FAC 40D-8.624 to remove existing guidance levels and add new minimum and guidance levels for Deer Lake in Hillsborough County. A comment due date is not specified. Contact: Mark Hurst; SWFWMD; 352-796-7211

—Florida Administrative Weekly (10/11/2017)

Regulatory Update

WATER

Southwest Florida WMD/Guidance and Minimum Levels for Lake Easy Florida WATER

Notice announces the intention of the Southwest Florida Water Management District to amend regulations under FAC 40D-8.624 to remove existing guidance levels and add new minimum and guidance levels for Lake Easy in Polk County. A comment due date is not specified. Contact: Donna Campbell; SWFWMD; 352-796-7211

—Florida Administrative Weekly (10/11/2017)

Regulatory Update

WATER

Southwest Florida WMD/Guidance and Minimum Levels for Lake Eva
Florida WATER

Notice announces the intention of the Southwest Florida Water Management District to amend regulations under FAC 40D-8.624 to remove existing guidance levels and add new minimum and guidance levels for Lake Eva in Polk County. A comment due date is not specified. Contact: Mark Hurst; SWFWMD; 352-796-7211

—Florida Administrative Weekly (10/11/2017)

Regulatory Update

WATER

Southwest Florida WMD/Guidance and Minimum Levels for Saddleback, Round Lakes
Florida WATER

Notice announces the intention of the Southwest Florida Water Management District to amend regulations under FAC 40D-8.624 to remove existing guidance levels and add new minimum and guidance levels for Saddleback and Round Lakes in Hillsborough County. A comment due date is not specified. Contact: Jaime Swindasz; SWFWMD; 352-796-7211

—Florida Administrative Weekly (10/11/2017)

Regulatory Update

WATER

St. Johns River WMD/Consumptive Use Permits
Florida WATER

Notice announces the intention of the St. Johns River Water Management District to amend regulations under FAC 40C-1.603 to reduce certain small consumptive use permit (CUP) fees and base such fees on the amount of water proposed. The rule also establishes a free application fee category CUP renewals. A workshop is scheduled for Nov. 2, 2017, in Palatka and via teleconference and webinar. A comment due date is not specified. Contact: Thomas Mayton; SJRWMD; 386-329-4108; tmayton@sjrwmd.com

—Florida Administrative Weekly (10/11/2017)

Regulatory Update

Iowa

OCCUPATIONAL SAFETY AND HEALTH
Automated External Defibrillator Program
Iowa OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Public Health amends regulations under 641 IAC 143.1 through .3 and repeals regulations under 641 IAC 143.4 through .18 to remove outdated provisions concerning the automated external defibrillator (AED) program. The rule removes provisions concerning the purchase and placement of AED devices and reorganizes remaining provisions concerning AED maintenance. The rule also deletes provisions concerning fire department response with AED devices. The rule is effective Nov. 15, 2017. Contact: Rebecca Curtiss; DPH, Bureau of Emergency and Trauma Services; 515-242-5206; rebecca.curtiss@idph.iowa.gov

—Iowa Administrative Bulletin (10/11/2017)

Regulatory Update

RADIATION
Safety Requirements for the Use of Radiation
Iowa RADIATION

Final rule of the Department of Public Health amends regulations under 641 IAC 41.6 concerning safety requirements for the use of radiation machines. The rule requires physician mammography reports and patient lay letters to include language and educational references regarding the patient's breast density and resulting risk of cancer incidence and impacts on mammography interpretation related to increased tissue density. The rule is effective Nov. 15, 2017. Contact: Angela Leek; DPH, Bureau of Radiological Health; 515-281-3478; angela.leek@idph.iowa.gov

—Iowa Administrative Bulletin (10/11/2017)

Regulatory Update

WATER
Animal Feeding Operations/Manure Management Plan Updates and Fees
Iowa WATER

Final rule of the Environmental Protection Commission amends regulations under 567 IAC 65.16 regarding animal feeding operations. The rule allows for the electronic submittal of manure management plan updates and associated fees through the Department of Natural Resource's web application system. The rule also provides that impacted counties will receive the submittals electronically. The rule is effective Nov. 15, 2017. Contact: Kelli Book; DNR; 515-725-9572; kelli.book@dnr.iowa.gov

—Iowa Administrative Bulletin (10/11/2017)

Regulatory Update

New Hampshire

AIR

Sources of Hazardous Air Pollutants **New Hampshire AIR**

Final rule of the Department of Environmental Services amends regulations under NHAR Env-A 501.01, 502.01, and 503.01; adopts regulations under NHAR Env-A 506; and readopts regulations under NHAR Env-A 504 and 505 regarding standards applicable to certain new or modified facilities and sources of hazardous air pollutants. The rule updates the incorporation by reference of new source performance standards (NSPS) and national emission standards for hazardous air pollutants (NESHAP) under 40 CFR 60, 61, and 63, as of July 1, 2016. The rule also incorporates the NSPS for municipal solid waste landfills (Subpart XXX), new residential wood heaters (Subpart AAA), and new residential hydronic heaters and forced air furnaces (Subpart QQQQ). In addition, the rule incorporates federal requirements under 40 CFR 62, Subpart LLL, concerning the federal plan requirements for existing sewage sludge incineration units. The rule is effective Sept. 22, 2017. Contact: Karla McManus; DES, Air Division; 603-271-6854; Karla.McManus@des.nh.gov

—New Hampshire Rulemaking Register (10/12/2017)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY

Waiver of Procurement Provisions

New Hampshire GENERAL ENVIRONMENT AND SAFETY

Final rule of the Department of Environmental Services adopts regulations under NHAR Env-C 213 to establish procedures for waiver of the department's procurement provisions. The rule allows the agency to disregard normal procedures and public disclosure requirements concerning requests for bids, requests for proposals, requests for applications, or similar requests for the purpose of procuring goods and services in the event of an emergency or to prevent the loss of federal funds. The rule is effective Sept. 22, 2017. Contact: Peter Demas; DES; 603-271-2464; Peter.demas@des.nh.gov

—New Hampshire Rulemaking Register (10/12/2017)

Regulatory Update

North Carolina

HAZARDOUS WASTE MANAGEMENT

Assessment, Corrective Action for Petroleum USTs/Noncommercial USTs

North Carolina HAZARDOUS WASTE MANAGEMENT

Temporary rule of the Department of Environmental Quality, Environmental Management Commission, amends regulations under 15A NCAC 2L.0404, .0405, .0406, .0408, and .0409 regarding noncommercial underground storage tanks (USTs). The rule requires owners and operators to immediately respond to any release by trying to recover all accessible contamination and specifies that initial abatement action requirements apply for commercial UST releases. The

rule also addresses public notification, clarifies requirements for limited site assessments, revises the definitions of “high risk” and “intermediate risk,” and updates assessment and remediation procedures. In addition, the rule describes the emergency response and reporting requirements for a release from a noncommercial UST and the initial abatement action requirements for a release from a noncommercial UST determined to represent a high risk. Finally, the rule differentiates the risk posed by a release of petroleum from a commercial UST, a release of motor fuel from a noncommercial UST, and a release from a noncommercial UST. The rule is effective Sept. 29, 2017, and expires March 28, 2018. Contact: Jared Edwards; DEQ, Environmental Management Commission; 919-707-8153; jared.edwards@ncdenr.gov

—North Carolina Register (10/16/2017)

Regulatory Update

HAZARDOUS WASTE MANAGEMENT

Hazardous Waste Management

North Carolina HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Department of Environmental Quality, Environmental Management Commission, amends regulations under 15A NCAC 13A.0101 through .0119 regarding hazardous waste management. The rule updates references to standards applicable to generators of hazardous waste to align with Nov. 28, 2016, amendments to the Hazardous Waste Generator Improvements Rule under 40 CFR 262. The rule also clarifies provisions concerning hazardous waste permit requirements, identification and listing of hazardous wastes, and standards for operators and owners of hazardous waste facilities. In addition, the rule addresses financial assurance for corrective action and the fee schedule for commercial hazardous waste treatment, storage, and disposal facilities. A hearing is scheduled for Nov. 15, 2017, in Raleigh. Comments are due Dec. 15, 2017. Contact: Jenny Patterson; DEQ; 336-767-0031; jenny.patterson@ncdenr.gov

—North Carolina Register (10/16/2017)

Regulatory Update

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